

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

EDWARD SMITH, : Case No. 1:01cv814-SJD
Petitioner, :
v. :
ANTHONY BRIGANO, Warden, : Notice of Appeal
Respondent. :
JAHF
PL
PH
2004 OCT 28 PM

Notice is hereby given that Edward Smith, petitioner in the above named case, hereby appeals to the United States Court of Appeals for the Sixth Circuit, the Order dated 9-02-04, denying his Petition for Writ of Habeas Corpus with prejudice, and denying him leave to appeal this decision in forma pauperis, and denying him a certificate of appealability, which order was entered on the 2nd day of September, 2004. *Reconsider motion denied Sept. 24-2004. Filed a Writ of Mandamus in Court of Appeal 04-4249 October 13, 2004. Relying on documents filed in this Court for Appeal.*

Edward Smith, petitioner, pro se
Edward Smith, petitioner, pro se
Inmate No. 346-408
Warren Corr. Inst., P.O. Box 120,
Lebanon, Ohio 45036

Certificate of Service

I, Edward Smith, do hereby certify that a copy of this Notice of Appeal was given to prison officials for mailing in the prison's legal mail system for mailing to: Ohio Attorney General, 150 East Gay Street, 16th Floor, Columbus, Ohio 43215, on this 22 day of October, 2004.

Edward Smith, petitioner, pro se
Edward Smith, petitioner, pro se
Inmate No. 346-408
Warren Corr. Inst., P.O. Box 120,
Lebanon, Ohio 45036